

Resolution No. _____

RESOLUTION: To enlarge the corporate boundaries of the City of Rockville to include 10.4060 acres of land, more or less, of Montgomery County, Maryland and the State of Maryland

WHEREAS, Article 23A, Section 19 of the Annotated Code of Maryland permits the annexation of real property by municipalities of the State of Maryland; and

WHEREAS, the Mayor and Council of Rockville, proposes to annex the property hereinafter described; and

WHEREAS, the subject property is contiguous and adjoining to the existing corporate area of the Mayor and Council of Rockville (hereinafter referred to as “Rockville”); and

WHEREAS, the annexation of the subject property will not create any unincorporated area which is bounded on all sides by real property proposed to be within the corporate limits of Rockville, as a result of the proposed annexation, or any combination of such properties; and

WHEREAS, public notice of a resolution to annex property of Montgomery County, Maryland, and the State of Maryland, totaling 10.4060 acres of land, more or less, hereinafter more particularly described, has been published not fewer than two times at not less than weekly intervals in a newspaper of general circulation in the City of Rockville and the area to be annexed, said notice specifying that a public hearing would be held by the Mayor and Council on said resolution at Rockville City Hall, on September 10, 2012, at 7:00 p.m.; and

WHEREAS, the Mayor and Council conducted a public hearing on said resolution at the time and place provided for in said advertisement which hearing was not less than fifteen days after the second publication of the public notice referenced above; and

WHEREAS, a copy of the Annexation Plan for the area to be annexed was provided to the County Executive of Montgomery County, Maryland, the Secretary of the State Department of Planning and the Chairman of the Maryland-National Capital Park and Planning Commission at least thirty days prior to the holding of the scheduled public hearing; and

WHEREAS, immediately after the first publication of the public notice in said newspaper, a copy of that public notice was provided to the County Executive of Montgomery County, Maryland, the Secretary of the State Department of Planning and the Chairman of the Maryland-National Capital Park and Planning Commission; and

WHEREAS, this matter having been considered and deliberated by the Mayor and Council of Rockville, and the Mayor and Council having decided that enactment of this resolution would promote the health, safety and welfare of the City of Rockville.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF ROCKVILLE, MARYLAND, as follows:

Section 1. That the corporate limits of the City of Rockville are hereby extended to include the following area, which is hereby added to the City.

Beginning for the same at a point on the center line of Shady Grove Road (120 feet wide Right-Of-Way) as shown on "Dedication Plat No. 13, Shady Grove Road," at station 114+95.55; said point also being on the tenth or South 57°27' 45" East 362.62 feet line of the existing City of Rockville Limits as recorded in Resolution 8-78, Charter Amendment No. 34, Section 41, "Boundaries — Further extended; Washington Technological Park," 0.42 feet from the beginning thereof, thence leaving said tenth line and running with the centerline of Shady Grove Road per Dedication Plats numbered 13 through 15, and 1 of 12 through 8 of 12, as now computed

1. North 59°46' 08" East 218.33 feet to a point of curvature, thence
2. 362.44 feet along the arc of a curve to the left having a radius of 1,145.92 feet, chord bearing and distance of North 50°42' 30" East 360.93 feet, to a point of tangency, thence
3. North 41°38' 50" East 882.89 feet to a point of curvature, thence
4. 501.15 feet along the arc of a curve to the left having a radius of 4,911.07 feet, chord bearing and distance of North 38°42' 27" East 500.93 feet to a point of tangency, thence
5. North 35°47' 54" East 1,142.80 feet to a point of curvature, thence
6. 815.59 feet along the arc of a curve to the right having a radius of 1,273.24 feet, chord bearing and distance of North 54°08' 57" East 801.72 feet, to a point of tangency

7. North 72°30' 00" East 2,136.30 feet to a point of curvature, thence
8. 122.31 feet along the arc of a curve to the left having a radius of 2,291.83 feet, chord bearing and distance of North 70°58' 16" East 122.29 feet, to a point at station 176+22.31, thence leaving said centerline
9. South 20°33' 28" East 6000 feet to a point on the southerly Right-Of-Way line of Shady Grove Road, thence running with said southerly Right-Of-Way Line and the northerly outlines of the property conveyed by Montgomery County, Maryland unto the Washington Metropolitan Area Transit Authority by deed dated March 30, 1988 and recorded in Liber 8863 at folio 776 among the Land Records of Montgomery County, Maryland, as now computed
10. 125.51 feet along the arc of a curve to the right having a radius of 2,351.83 feet, chord bearing and distance of South 70°58' 16" West 125.49 feet, to a point of tangency, thence
11. South 72°30' 00" West 953.35 feet to a point adjacent to Crabbs Branch Way (80 feet wide Right-Of-Way), thence still with the southerly Right-Of-Way lines of Shady Grove Road, as now computed
12. South 61°11' 24" West 101.98 feet to a point, thence leaving the said Crabbs Branch Way and running still with the southerly Right-Of-Way lines of Shady Grove Road and the northerly lines of the property conveyed by Eugene B. Casey and Virginia K. Casey Visnich unto the Washington Metropolitan Area Transit Authority by deed dated February 25, 1974 and recorded in Liber 4499 at folio 180 among the aforesaid Land Records, as now computed
13. South 72°30' 00" West 101.69 feet to a point, thence
14. South 69°38' 15" West 200.25 feet to a point, thence
15. South 66°47' 22" West 100.50 feet to a point, thence
16. South 63°58' 09" West 101.12 feet to a point, thence
17. South 69°38' 15" West 200.25 feet to a point, thence
18. South 72°30' 23" West 27.71 feet to a point, thence
19. South 72°30' 00" West 20.60 feet to a point, thence
20. South 67°11' 36" West 54.10 feet to a point, thence leaving the northerly lines of Liber 8863, folio 776 aforesaid, and running still with the southerly Right-Of-Way lines of Shady Grove Road
21. South 73°22' 14" West 64.60 feet to a point, thence running with the northerly lines of the property conveyed by Eugene B. Casey and Virginia Casey Visnich unto the U.S. Postal Service by deed dated September 20, 1982 and recorded in Liber 5943 at folio 65 among the aforesaid Land Records, as now computed
22. South 72°30' 00" West 208.85 feet to a point, thence
23. South 75°06' 49" West 109.44 feet to a point, thence
24. South 71°07' 24" West 92.27 feet to a point, thence
25. South 63°30' 15" West 94.45 feet to a point, thence
26. South 57°57' 55" West 109.31 feet to a point, thence
27. South 51°51' 23" West 40.00 feet to a point, thence
28. South 65°31' 04" West 41.22 feet to a point, thence
29. South 46°54' 23" West 135.10 feet to a point, thence
30. North 26°43' 10" West 27.72 feet to a point, thence
31. 149.92 feet along the arc of a curve to the left having a radius of 1,213.24 feet, chord bearing and distance of South 39°20' 18" West 149.82 feet, to a point of tangency, thence leaving the northerly lines of Liber 5943, folio 65 aforesaid and running with the northerly lines of Parcel "A," as shown on a subdivision record plat entitled, "Sear's Addition to Shady Grove," recorded as Plat numbered 7952 among the aforesaid Land Records, and still with the southerly Right-Of-Way Line of Shady Grove Road, as now computed
32. South 35°47' 54" West 1,142.79 feet to a point of curvature on the northerly lines of the property conveyed by Betty Brown Casey, Trustee unto the Betty Brown Casey Trust by deed dated April 13, 1990 and recorded in Liber 9304 at folio 343 among the aforesaid Land Records, thence running with the said northerly lines and still with the

southerly Right-Of-Way Line of Shady Grove Road, as now computed
33. 350.76 feet along the arc of a curve to the right having a radius of 4,971.07 feet, chord bearing and distance of South 37°48' 20" West 350.68 feet to a point, thence
34. South 44°10' 27" East 26.69 feet to a point, thence
35. South 45°49' 33" West 40.00 feet to a point, thence
36. North 44°10' 27" West 22.65 feet to a point, thence
37. 116.31 feet along the arc of a curve to the right having a radius of 4,971.07 feet, chord bearing and distance of South 40°57' 38" West 116.31 feet to a point of tangency, thence
38. South 41°45' 06" West 24.21 feet to point on the easterly Right-Of-Way Line of Frederick Road, also known as Maryland Route 355, thence leaving the northerly lines of Liber 9304, folio 343 aforesaid, crossing the Right-Of-Way of Frederick Road, and still running with the southerly Right-Of-Way Lines of Shady Grove Road, as now computed
39. South 41°38' 15" West 261.22 feet to a point, thence running with the northerly lines of Parcel 3 of a Subdivision Record Plat entitled, "Huntt's Addition to Shady Grove," recorded as Plat numbered 15074, and still with the southerly Right-Of-Way Line of Shady Grove Road, as now computed
40. South 41°38' 50" West 597.48 feet to point of curvature on the northerly lines of Lot 7, Block A of a Subdivision Record Plat entitled, "Michel C. Zetts Subdivision, Shady Grove," recorded as Plat numbered 13063, thence running with said northerly lines and still with the southerly Right-Of-Way Lines of Shady Grove Road, as now computed
41. 381.42 feet along the arc of a curve to the right having a radius of 1,205.92 feet, chord bearing and distance of South 50°42' 30" West 379.83 feet to a point of tangency, thence running with the northerly lines of Lot 16, Block B of a Subdivision Record Plat entitled, "Michel C. Zetts Subdivision, Shady Grove," recorded as Plat numbered 13926, thence running with said northerly lines and still with the southerly Right-Of-Way Lines of Shady Grove Road, as now computed
42. South 59°46' 09" West 153.73 feet to a point, thence leaving the northerly lines of Plat numbered 13926 aforesaid and still with the southerly Right-Of-Way Lines of Shady Grove Road, as now computed
43. South 59°46' 09" West 33.73 feet to a point on the tenth or South 57°27' 45" East 362.62 feet line of the existing City of Rockville Limits as recorded in Resolution 8-78, Charter Amendment No. 34, Section 41, "Boundaries — Further extended; Washington Technological Park," thence leaving the southerly Right-Of-Way line of Shady Grove Road and running with a portion of said tenth line, reversed, as now computed
44. North 57°27' 35" West 67.48 feet to the place of beginning, containing 453,283 square feet, or 10.4060 Acres, more or less, as computed by Maddox Engineers & Surveyors, Inc. Maddox Project No. 08021.44 Certified Maryland 11014, License Expires 8/24/12

Section 2. That all territory hereby annexed to the City of Rockville and the persons residing thereon shall, after the effective date of this resolution, be subject to the Charter, laws, ordinances and regulations of said City.

Section 3. That as soon as the annexation provided by this resolution shall become effective, the Mayor shall promptly register both the original boundaries and the new boundaries of the City with the City Clerk of Rockville, with the Clerk of the Circuit Court for Montgomery

County, Maryland, with the Maryland-National Capital Park and Planning Commission, and shall send, or cause to be sent, separately by certified mail, return receipt requested, one copy of this resolution to the Department of Legislative Reference.

* * * * *

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Mayor and Council of Rockville at its meeting of

Douglass Barber, City Clerk